

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DAVID M. JAA,

Appellant,

vs.

STATE OF NEVADA,

Respondent.

Case No. 3:11-CV-00323-RCJ-(RAM)

**ORDER**

Appellant has submitted a notice of appeal of supreme court decision with motion for forma pauperis and assignment of counsel (#1). This document has multiple defects. First, appellant's application to proceed in forma pauperis exists in name only. Appellant has not provided any of the information required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2. Second, this court does not have appellate jurisdiction over the Nevada Supreme Court. Appellant's sole federal remedy from a judgment of conviction of a state court is a writ of habeas corpus pursuant to 28 U.S.C. § 2254.<sup>1</sup> Under the circumstances, the court will dismiss this action and send the correct forms to appellant. Petitioner may then commence a new action in this court with a complete application to proceed in forma pauperis and petition for a writ of habeas corpus.

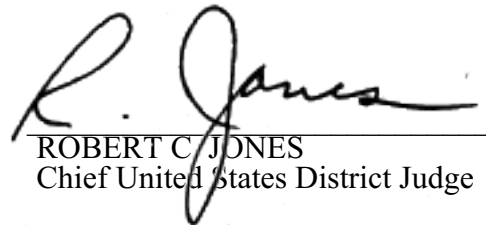
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<sup>1</sup>A letter from the law office representing petitioner used the term "Federal Appeal." This might be the source of appellant's confusion.

1 IT IS THEREFORE ORDERED that the clerk of the court shall send appellant a  
2 form application to proceed in forma pauperis and a form petition for a writ of habeas corpus  
3 pursuant to 28 U.S.C. § 2254.

4 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to  
5 appellant commencing a new action in which he submits a complete application to proceed in forma  
6 pauperis and a complete petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The  
7 clerk of the court shall enter judgment accordingly.

8 Dated: This 17th day of June, 2011.

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11 ROBERT C. JONES  
12 Chief United States District Judge  
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